



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA Patent Application  
Jun Akedo  
Serial No.: 09/752,360  
Filed: December 29, 2000  
ULTRA FINE PARTICLE FILM  
FORMING METHOD AND APPARATUS

ATTENTION: APPLICATION BRANCH  
CUSTOMER SERVICE CENTER  
INITIAL PATENT EXAMINATION DIVISION

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CERTIFICATE OF MAILING ON LAST PAGE  
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Hon. Commissioner of Patents and Trademarks

Washington, D.C. 20231

S I R :

RESPONSE TO NOTICE OF OMITTED ITEMS IN A NONPROVISIONAL  
APPLICATION AND PETITION, AND SUBMISSION OF  
PRIORITY DOCUMENT WITH CLAIM OF PRIORITY, AND INFORMATION  
DISCLOSURE STATEMENT

In response to the Office Action (copy enclosed) dated April 4, 2001, the applicant has filed on December 29, 2000 Figure(s) 7A, 7B & 7C described in the specification. This paper is the Petition therefor. Applicant filed December 29, 2000 11 sheets of drawings, one of which was labeled Fig. 7, but the three figures on that sheet were the unlabeled Figs. 7A, 7B, 7C. Red-inked labeling of Fig. 7 labeling these three figures as Figs. 7A, 7B, 7C thereon will be presented during prosecution. The Examiner is requested to hold any such requirement in abeyance. The enclosed postcard receipt stamped by the PTO is evidence of the aforementioned deposit of the drawings. (A separate petition is

44 10 51  
EXPRESS MAIL  
MAILING LABEL#  
EFO242354705  
Deposited 4/10/2001

F0285

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presented herewith to correct the filing date to December 29, 2000.)

Please charge the \$130.00 petition fee under 37 CFR 1.17(h) to deposit account no. 06-0105. A duplicate of this sheet is presented therefor. The petition fee is requested to be refunded if it is determined that the item(s) was received by the USPTO.

SUBMISSION OF PRIORITY DOCUMENT UNDER 35 USC 119

Respectfully submitted herewith is the priority document named below, applicant herewith claiming the benefit of the filing date thereof under 35 USC 119, this submission meeting the requirements of 35 USC 119:


Japanese Patent Application No. 2000-150341  
Filed May 22, 2000

An IDS, PTO-1449 form and 2 references are presented to meet the duty of disclosure.

The Commissioner is hereby authorized to charge any or additional fees which may be required, or credit any overpayment to deposit account no. 06-0105.

Respectfully submitted,

Jun Akedo

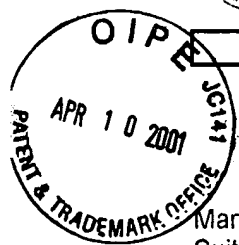
by:   
MARTIN A. FARBER  
Attorney for Applicant  
Registered Representative  
Registration No. 22,345

New York, NY 10017  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/752,360	12/30/2000	Jun Akedo	F0285

CONFIRMATION NO. 8442

## FORMALITIES LETTER



Martin A. Farber  
Suite 473  
866 United Nations Plaza  
New York, NY 10017

Date Mailed: 04/04/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 7A, 7B & 7C described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if

COPY



necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

*Seble*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA Patent Applications  
Jun Akedo  
Serial No.: 09/752,360  
Filed: December 29, 2001  
ULTRA FINE PARTICLE FILM  
FORMING METHOD AND APPARATUS  
Group art unit:

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CERTIFICATE OF MAILING  
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Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

S I R :

PETITION UNDER 37 CFR 1.10(c) TO ACCORD A FILING DATE AS OF THE  
DATE OF DEPOSIT AS "EXPRESS MAIL" AND REQUEST FOR CORRECTION OF  
FILING RECEIPT.

The PTO is respectfully requested to correct the filing date of the above listed application as correctly being December 29, 2000, which is the stamped date and date-in date on the "Express Mail" mailing label (copy enclosed), and not as December 30, 2000, as on the official filing receipt (copy enclosed and marked in red with corrections) and on the PTO stamp on the post card acknowledging the receipt of the above application, the Express Mail Mailing label no. having been placed on each piece of correspondence prior to the original mailing. Please correct the filing date and send a corrected filing receipt.

Respectfully submitted,  
Jun Akedo

by: \_\_\_\_\_  
MARTIN A. FARBER  
Attorney for Applicant  
Registered Representative  
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Petition, is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231, on April 10, 2001.

Dated: April 10, 2001

\_\_\_\_\_  
Martin A. Farber

866 United Nations Plaza  
New York, NY 10017  
(212) 758-2878



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/752,360	12/30/2000 29	1762	826	F0285	11	22	4

CONFIRMATION NO. 8442

## FILING RECEIPT



\*OC00000005934551\*

Martin A. Farber  
Suite 473  
866 United Nations Plaza  
New York, NY 10017

Date Mailed: 04/04/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jun Akedo, Tsukuba-shi, JAPAN;

## Domestic Priority data as claimed by applicant

## Foreign Applications

JAPAN 150341/2000 05/22/2000

If Required, Foreign Filing License Granted 03/30/2001

Projected Publication Date: To Be Determined - pending completion of Omitted Items

Non-Publication Request: No

Early Publication Request: No

## Title

Ultra fine particle film forming method and apparatus

## Preliminary Class

427

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Data entry by : TERFA, SEBLE

Team : OIPE

Date: 04/04/2001



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F TEST FOR APPLICATION UNDER 37 CFR 1.53(b)

New patent application papers 23 pages; abstract, specification, claims, declaration, power of attorney, petition; 11 A4 soft drawing sheets Figs. 1-11 attached to application; check 13535 \$826.00 filing fee; cover letter; express mail mailing label No. EJ450233763US deposited December 29, 2000.

USA Patent Application  
Jun Akedo

JC690 U.S. PTO

09/752360

ULTRA FINE PARTICLE FILM FORMING  
METHOD AND APPARATUS



Priority: Japanese Patent Application  
No. 150341/2000 filed May 22, 2000

KAWAI FO285